

Ballot Title Setting Board

Proposed Initiative 2007-2008 #76¹

The title as designated and fixed by the Board is as follows:

An amendment to the Colorado constitution concerning a requirement that an employer first establish just cause before discharging or suspending an employee, and, in connection therewith, defining “just cause” to mean specified types of employee misconduct and substandard job performance, the filing of bankruptcy by the employer, or documented economic circumstances that directly and adversely affect the employer; requiring an employer to provide written documentation to an employee who has been discharged or suspended; exempting from the just cause requirement business entities that employ fewer than twenty employees, nonprofit organizations that employ fewer than one thousand employees, and governmental entities; allowing an employee who believes he or she was discharged or suspended without just cause to file a civil action in state district court; requiring the court, in its discretion, to award reinstatement in the employee's former job, back wages, damages, or any combination thereof; and allowing the court to award attorneys fees to the prevailing party.

The ballot title and submission clause as designated and fixed by the Board is as follows:

Shall there be an amendment to the Colorado constitution concerning a requirement that an employer first establish just cause before discharging or suspending an employee, and, in connection therewith, defining “just cause” to mean specified types of employee misconduct and substandard job performance, the filing of bankruptcy by the employer, or documented economic circumstances that directly and adversely affect the employer; requiring an employer to provide written documentation to an employee who has been discharged or suspended; exempting from the just cause requirement business entities that employ fewer than twenty employees, nonprofit organizations that employ fewer than one thousand employees, and governmental entities; allowing an employee who believes he or she was discharged or suspended without just cause to file a civil action in state district court; requiring the court, in its discretion, to award reinstatement in the employee's former job, back wages, damages, or any combination thereof; and allowing the court to award attorneys fees to the prevailing party?

Hearing March 19, 2008:

Single subject approved; staff draft amended; titles set.

Hearing adjourned 4:36 p.m.

¹ Unofficially captioned “**Just Cause for Employee Discharge or Suspension**” by legislative staff for tracking purposes. Such caption is not part of the titles set by the Board.